

## THE FORREST DIVORCE CASE

**Superior Court.**  
**Before Chief Justice Oakley.**  
**CATHERINE M. FORBES, vs. JOHN FORBES.**  
**EIGHTEENTH DAY.**  
**JAN. 8.**—The parties to the suit were as usual in attendance. Mrs. N. P. Willis accompanied Mrs. Forbes.

John Dickinson was again called to the stand, and the Chief Justice asked the counsel if they had anything further to urge upon the question pending at the adjournment of the court yesterday.

Mr. O'Conor took the remark of the Chief Justice yesterday to the effect that the evidence of Anna Forbes did not charge conspiracy on the part of Mrs. Forbes to effect her husband's death, and directed the attention of the Court to one of the cross-examinations in the commission issued to examine Capt. Howard.

Mr. Van Buren submitted that it was not competent to receive the evidence of Anna Forbes.

Mr. O'Conor did not intend it for the jury, but for the Court.

The Chief Justice ruled against the right of Mr. O'Conor to read any detached portions of the paper in the presence of the jury, and he declined to look at himself.

Mr. Van Buren then proceeded to oppose the admission of the evidence of Anna Forbes.

bility of the question—"Did you hear or witness any speech or act of Anna Dempsey while living with you."

[illegible]

being called for, I was the only one present; she knew I always got up to light the fire.

Chief Justice—You say undressed; how was she dressed?

Witness—She had nothing but her chemise on.

Chief Justice—And he was surprised that men of understanding would so conduct themselves as to disturb the court in such an indecent manner. If they had no objection to be brought into court in the same respect for the court, it would be an inquiry solemn in its nature, and these manifestations were to say the least of them, indecent; and he hoped he would hear no more of them.

Witness—Continued—I asked her to go back to her room, herself decent; it was in the summer time; no more than she produced is the one I received with her from the House of Refuge. O—What was her character for truth and veracity?—I asked her to go back to her room, she said, "O—What was the same as before."

Mr. C—Now I now propose to prove that this girl descended from Mr. Dickinson stole property, was seized, brought back, and the property taken from her.

Question not admitted.

C—Examined—The employment of the girl was to wash and to do no other errands; my wife attended as well as she could; she was very feeble, and I got up to assist her; before I took Anna from the House

of Refuge, I make no inquiries about her. Q.—Did you make any inquiries about her at the House of Refuge?

A—No. I do not allow any choice; I did not see the girl till she came to me. I gave a description of the personage, and she appeared, and I saw that she was, of course, I sent her for a girl of good character, and this girl was what me: I live at Fairfeld, New Canaan; my nearest neighbor was a man named Schofield; my next neighbor was a man named Mrs. Tristram; I was at the House of Refuge, and I think it was near two years and a half before when she came back again to me.

C—What servant had you then? A—A lady named Mrs. Tristram, who was a very good woman, and did all the business; Anna Dempsey did not stay more than an hour in my house; she wished to know if we had any black ink, and my wife said no; she wished, I think, to know if my wife gave her any money, and she got it; a piece; Anna Dempsey said for a piece, she applied to a Mrs. Mitchell and she came back to my wife for a piece; she did not stop at Mrs. Mitchell's; she went to a Mrs. Tristram; she said she had been there three days; I can't tell where she went; to some other; I don't say a Mrs. Russell at Norwalk; I can't remember who I first heard speak against Anna. C—Give me another? A—Mrs. Tristram; I can't give any particular time when she spoke against her. Atlast, Seymour spoke against her a few days after.

lady, about 70 years of age; Chas. Scholfield's family spoke against her; can't tell the date; another person

was Mr. Kecker; (laughter) she knows her on visiting my house; my wife caught her in a number of false leads; I came to town yesterday; Mr. Hardenbrook, I said, I saw her; (laughter) she said, "I never saw her"; Mr. Hardenbrook is the gentleman who sat at that table yesterday; (beside plaintiff's counsel.) Q—Where do you stop? A—I can't remember the name of the house; I don't know where he lives; I don't know how he got any money except your expense. A—Not a cent, yet; I have not been promised any money. Q—Do you expect any? A—I do not expect any; I don't care for it; I don't want it; I am well and good. (Laughter.) I am an Englishman; I came from Staffordshire; I am nineteen years in this country; I thought this case was settled; I may have been wrong; I don't know; I don't care; I don't speak against Mr. Forrest; I never saw the gentleman till I saw him here; I do not know the plaintiff; I don't speak to Mr. Hardenbrook about what I know; I speak to him from the fact that I saw him; I saw her in the shop; she was of short stature; they gave me her age as between fifteen and sixteen; I judged of her age from appearance; I am not acquainted with Mr. Forrest; I don't know where he lives.

To Mr. O'Conor—I have heard my own family speak of Anna; I did not expect to be a witness in this case to

Q.—Can you even tell which of the ladies in court

The Chief Justice said it was not necessary to pursue inquiry on that point.

The letter produced, which witnesses received from the House of Delegates, and not admitted in evidence, was as follows:

"I have been some doubt on the minds of the members of one point as to whether the witness, Anna Flowers, was asked if she had lived with Mr. Dickinson?"

"Mr. O'Connor said she was asked the question, and she answered that she had lived with Mr. Dickinson."

"Mr. Van Buren—My impression is that she was asked if she knew Mr. Dickinson of Norway?"

"Mr. O'Connor asked the question, and the members of the Methodist Episcopal Church decided that it was Superintendent of the House of Delegates; the records show that Anna Flowers came there on the 21 October 1838; she was in the September, 1841, and the subscribing members to the address of her apprenticeship; it was asked by Mr. O'Connor."

Mr. O'Connor proposed to read the letter sent by the witness to Anna Dickinson, which was read by the witness, and Mr. O'Connor said he would not leave it. Witnesses read the indenture, which was dated March 31, 1840, and found her for two years, six months and two weeks. The witness said she was not present at the time she found on the stand whom I recognized, I should have

said she was a female I had in my custody: I have no knowledge of her character: for that I should depend

wholly upon the records; these records are kept by the superintendent; we took the statement from the parties themselves, and if it was not correct, we would not have taken it from them. If we had taken statements from others, I think it should have been stated in the general history given by the parties themselves; in case we had any suspicion from any other than the parties, I would have said so. I am not sure, but I believe I refer to the records. This statement was given to me by Anna Flowers herself.

Q. O'Connor—Will you give us the statement she gave you in regard to the record.

A. Witness—I must defer to the question the record.

Q. Van Buren submitted that if it was for the purpose of contradicting Anna Flowers, it was not competent.

A. Chief Justice—There are two good reasons why it should not be admitted; In the first place, the witness says he has no recollection of the record. The Court therefore ruled against it.

Q. Van Buren—The Chief Justice made by a juror some minutes since that the Chief Justice said that he did not find in his notes that the question had been put to Anna Demsey, as to whether she knew Mr. Dickinson; that on the other hand, the Chief Justice said that he was not sure, but it did appear that she was asked if she knew Mr. John Dickinson, of New Canaan, and she said no.

A juror said there had been some difference of opinion between them on that point, but they now all agreed.

**UPPER**

Witnesses to Mr. Van Buren-Anna Flowers, by the records it appears, was not bound out at any subsequent period after she was bound to Mr. Dickinson, in 1940.

Council both agreed that the record might be free of inconsistencies if it were assumed that Anna had been freed from the trust by which it appears that Anna had a right of ownership, and Mr. Dickinson to whom she was bound apparently desired to return her, and the committee recommended that the record be amended accordingly. It being here disclosed and attempted to run away," on the 21st of September, 1841, she was returned to her parents in consequence of her sore and long sickness, and she was again bound to her father.

"Mr. Van Buren—Miss Taylor was the mother; there was a Miss King there for some time.

"Mr. O'Connor said Mr. Dickinson had intimated to him that he had made a mistake with regard to the name of the woman who had been married to his son, and he had gone forward, and said the name of the Mr. Schofield to which she alluded was Charles W., and not William Henry.

"To Mrs. Van Buren—There was one female slave to my knowledge, whose wife came to light."

Wm. J. Coleman, clerk in the employ of Coleman & Sisson, of Astor House, deposed that Mr. Randall came down to the Astor House on the 27th January, and left on the 29th.

Mr. O'Jener said it was merely to explain a date. 10

John Tetraman deposed.—I live at New Canaan, Conn.; I have resided there for sixteen years; I am foreman of the shoe factory of Benedict & Massey; I am twenty-nine years of age; I resided in New Canaan in 1840, and then became acquainted with Anna Dempsey; I knew her from the time Mr. Dickinson had her until she returned here, about nine months; I never saw her after she left; I heard of her being in my home afterwards, in the summer of 43, either June or July; I became acquainted with her general character for truth; it was very bad; from her general character for truth, I would not believe her in a court of justice.

Q.—Did you examine her?—I am married; I was at that time; I lived in the second house below Mrs. Dickinson's with my mother; my mother kept house, and my